

City of Minneapolis
Community Planning & Economic Development
Planning Division
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### TRANSFER OF DEVELOPMENT RIGHTS APPLICATION

**549.260. Purpose.** These regulations are established to promote the preservation and rehabilitation of historic resources by allowing the transfer of undeveloped floor area from zoning lots containing locally designated historic structures, or structures that have been determined to be eligible to be locally designated as historic structures, to other zoning lots.

**549.270. Definitions.** As used in this article, the following words shall mean:

Heritage preservation commission. The heritage preservation commission of the City of Minneapolis.

Receiving site. The zoning lot on which transferred floor area is to be developed.

*Sending site.* The zoning lot containing a locally designated historic structure or a structure determined to be eligible to be locally designated as a historic structure, as provided in Chapter 34 of the Minneapolis Code of Ordinances, Heritage Preservation Commission, and from which undeveloped floor area is to be transferred.

- **549.280.** Eligible areas. The transfer of development rights shall be limited to sending sites and receiving sites located within the downtown districts.
- **549.290. Application for transfer of development rights.** Any person having a legal or equitable interest in land that qualifies as a sending site may file an application for transfer of development rights on a form approved by the zoning administrator, as provided in Chapter 525, Administration and Enforcement.
- **549.300. Administrative review of applications.** The planning director shall conduct the administrative review of all applications for transfer of development rights. All findings and decisions of the planning director shall be final, subject to appeal to the city planning commission, as specified in Chapter 525, Administration and Enforcement.
- **549.310. Transfer of development rights conditions and guarantees.** Any approval of an application for transfer of development rights shall be subject to the following conditions:
  - (1) The maximum amount of undeveloped floor area that may be transferred from the sending site shall be the difference between the gross floor area of development on the sending site and the maximum gross floor area permitted by the zoning district regulations.
  - (2) The floor area of the receiving site may be increased by up to thirty (30) percent of the maximum gross floor area permitted by the zoning district regulations, except where the receiving site is adjacent to the sending site, provided all other requirements of this zoning ordinance are met. For the purposes of this section, where a sending site is adjacent to a receiving site, they may be considered a single zoning lot.
  - (3) The transfer of development rights shall be limited to four (4) such transfers from any sending site.

- (4) The development potential of the sending site shall be reduced by the amount of undeveloped floor area transferred for the life of the principal structure on the receiving site whose construction is made possible by the transfer.
- (5) Following the transfer of development rights, the historic structure on the sending site, if undesignated, shall be subject to the same restrictions that are applicable to locally designated historic structures and the recommendations contained in The Secretary of the Interior's Standards for Rehabilitation.
- (6) The transfer of development rights shall not result in the destruction of a locally designated historic structure or structure determined to be eligible to be locally designated as historic on the receiving site.
- (7) The approval of the transfer of development rights shall be filed by the applicant with the Office of the Hennepin County Recorder or Registrar of Titles in the form of a conservation easement or similar restriction acceptable to the city which shall specify the amount of undeveloped floor area transferred to the receiving site and the reduction in the development rights of the sending site.
- (8) No building permit or other approval for the construction or establishment of transferred development rights on the receiving site shall be granted by the city until the historic structure on the sending site has been rehabilitated pursuant to the applicable guidelines of the heritage preservation commission and the recommendations contained in The Secretary of the Interior's Standards for Rehabilitation, if necessary, or until a plan for such rehabilitation has been submitted to and approved by the heritage preservation commission.
- (9) Such additional conditions and guarantees as the planning director deems reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this zoning ordinance and policies of the comprehensive plan.

### TRANSFER OF DEVELOPMENT RIGHTS APPLICATION REQUIREMENTS CHECKLIST

Staff will only accept applications that include all of the items listed below. If any of the items are missing at the time of submittal, staff will not accept the application.<sup>1</sup>

Correct fees paid (checks payable to Minneapolis Finance Department).		
Completed Application Worksheet and Declaration of Accuracy form.		
A letter from the property owner of the sending site, if other than the applicant, stating support for the application.		
Two copies of scaled and dimensioned floor plans showing all floors of sending and receiving sites.		
Description of proposed plan for rehabilitation of the historic structure on the sending site.		

#### **FEES**

Application type	Fee (dollars)
Transfer of Development Rights	350

<sup>&</sup>lt;sup>1</sup> City staff will review the initial application submission and will notify the applicant of what, if any, additional information must be submitted for staff to evaluate the application for approval or denial. Please be aware that supplemental information may also be requested during the evaluation of the application.

# **APPLICATION WORKSHEET**

Property Owner/Applicant	Name			
	Mailing Address Including City, State and Zip Code			
	Phone Number			
	Fax			
	Email			
Applicant's Representative (This person will be the primary	Name			
contact for staff, and is the authorized agent in place of the property owner)	Mailing Address Including City, State and Zip Code			
	Phone Number			
	Fax			
	Email			
Property Information: Sending Site	Address(es)			
	Identification Number			
	Legal Description			
	Lot Area (square feet)			
Property Information: Receiving Site	Address(es)			
g	Identification Number			
	Legal Description			
	Lot Area (square feet)			
Name of Proposed Project (If applicable)				
<b>Building Data: Sending Site</b>	Gross Floor Area (square feet)	Existing:	Proposed:	
<b>Building Data: Receiving Site</b>	Gross Floor Area (square feet)	Existing:	Proposed:	

# **ACCURACY DECLARATION**

My signature attests to the fact that the attached application is complete and accurate to the best of my knowledge. I understand that the staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay review of my application or may result in denial of my request.

Property owner's signature (if different from applicant):	
Applicant's name (please print):	
Applicant's signature:	